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Draft Queensland Planning Provisions Feedback

Department of Environment and Resource Management
P.O. Box 15155
City East
Queensland 4002

Dear Minister,

Re: Draft Queensland Planning Policy – Air Noise and Hazardous Materials

On behalf of the Waste Contractors and Recyclers Association of Queensland (Inc), please accept the following submission in response to the Draft Queensland Planning Policy – Air, Noise and Hazardous Materials.

The association congratulates the department in preparing such a pivotal and important planning policy and we submit the following comments for its consideration.

Schedule 2

We agree with the proposed Management areas outlined in the policy and congratulate the department on acknowledging the key land use areas that our industry's assets are located within. Protection of these key assets and ongoing business activities and balancing these with community growth and encroachment issues is essential to our industry's sustainability and of our business investment.

Of very great concern however is the failure in the draft policy to provide any Draft Management Plan for any corridor of land use either to the east of Brisbane or in the Southern corridors. This is a major weakness in the policy as it fails to provide any barrier of protection for existing business assets in these locations. In particular the area of land use in the Yatala corridor to the south of Brisbane presents itself as being an ideal corridor for protection as it already has a number of major High Impact Industries located within it, including waste transfer stations, soil and composting facilities and these must be protected from future community encroachment.

The department's exclusion to identifying any appropriate land use corridors in the Logan City Council or Gold Coast Areas is a major failing in the policy document, as these corridors are critical to industry to locate operations as they service the expanding community growth.

Schedule 4

Strategic long term planning for the locating of new and expanded waste / recycling infrastructure, and protection of these investments from urban sprawl, is core to the real success of real long term waste policy delivery and of balancing community amenity values.

The locating of some recycling and / or resource recovery facilities are not necessarily any less obtrusive to neighbours than many broad based manufacturing operations. Each industry's activities are similar to each other as they often involve processing which can result in releases of additional odours / dust etc, thus recycling and secondary recycling operations should not be disproportionately treated in licensing or siting approval processes.

It is our position that the current categories defined as being appropriate land use should be amended and that consideration be given to revising the 'definitions' proposed in the glossary, to provide for a separate definition for 'waste management and recycling facilities' , as opposed to the definitions currently provided for under 'industry' in that Schedule.

We note that in the QPP released in December 2009, page 105 determines that in the Standard Suite of Land use definitions provided for Local Governments, it articulates that Waste Management Facilities are noted as being Utility Installations.

By this very inclusion within the State Planning Framework and advice to Local Authorities such infrastructure is deemed fundamental community infrastructure and inclusive within the category of advice is:

Premises used to provide the public with the following services for:

- **supply of water, hydraulic power, electricity or gas;**
- **provision of sewerage or drainage services;**
- **transport services, including an wharf, railway, tramway, air transport, water transport, harbour or river undertaking;**
- **waste management facilities;**
- **provision of postal or telecommunications services;**
- **associated offices for the provision of public services;**
- **network infrastructure.**

The use includes maintenance and storage depots and other facilities for the operation of the use.

Schedule 4 in the department's draft provides for different ERA's to be located within specific zones. It is the position of the association that the current draft classifications are significantly out of balance and fail to accept that waste management and resource recovery activities are inclusive of all business activities not separated from these. They are essential in all communities as is acknowledged by the state in its QPP.

The draft policy proposes to categorise Industrial Activities simply on the basis of the approved ERA for that specific business. Existing ERA's and their framework, are as they relate to our sector, are very subjective and complex, and open too much separate interpretation. We are already on record providing responses to DERM, that we do not support the current ERA structure as applicable to us, as these fail to capture many current / future and expanding industry practices.

As example, using the departments existing ERA structure in defining an appropriate business location, the draft policy provides that the types of activity acceptable in the Low Impact Industrial category based on tonnage or product processed are Waste Incineration and Thermal Treatment, Tyre Recycling, Regulated Waste Storage or a Sewerage treatment plant, but it excludes operating a Waste Transfer Station as this activity is deemed by the department a High Impact Industrial Activity? It deems an acceptable Medium Impact Industrial activity as being Waste Incineration and Thermal Treatment and excludes a waste transfer station as being acceptable in the same location? The draft policy has major flaws in all four categories as it relates to our sector.

Categorising our industry simply based on the tonnes we handle, or on the throughput of a business that recycles and manufactures products, into a specific land use categories, and with a future department policy framework that will force upon our sector increased tonnage and product throughputs is very problematical to us and will be to the department in regulating and licensing the sector.

Many of our sectors businesses can quite capably locate to either light, medium, high or even noxious impact areas, and by its design a policy based on locating businesses in an area simply on the basis of tonnes of product its manages or of the quantity of products it produces, forces upon us very restrictive operating locations. If approved in this policy form it **will directly result in less industry investment** and **will directly undermine** the state's future waste policy directive.

Waste management and recycling operations operating in accordance with best practice design principles and by being properly licensed and audited ensures such activities can co-exist in all planning zones. The complex, arduous and costly process of following a Material Change of Use process, in locating a business to a different land use area, based on the tonnes it handles, and by the department now deliberately excluding that activity in the first place, by default shuts our sector out of co-locating business operations to industrial precincts that we must and already operate in.

We would respectfully request that the department with the associations support review the current classification and business activity in relation to waste management activities and that these are refined more accurately to represent the different business structure than is currently proposed. These should be aligned with the QPP position that our operations are essential community utility infrastructure and not aligned to subjective department categories.

With the definitions unchanged, it is unclear as to how each local government planning scheme may decide to define different types of waste management and recycling activities – e.g. Medium impact, High impact, or Noxious and hazardous, as these relate to existing facilities and then approving future activities. The later sub-definition is clearly a severe and emotive definition to be maintaining in the Draft PP schedule. A more appropriate term may be Major Impact reflecting more accurately the business type. It is however clear that the term waste management and recycling facility is more appropriate and would provide an opportunity to separate such facilities from industrial land uses - in such a way that future regulatory codes and policy implementation specific to the waste management industry can be more easily and appropriately implemented at the target waste management activity.

We appreciate your time in consideration of this submission and look forward to your advice on these and other matters which impact on the waste management industry. WCRAQ would be pleased to work with the Department in the drafting of an appropriate definition for waste management facilities that provides for clarity and consistency for future developments in Queensland.

Should you wish to discuss the above, please do not hesitate to contact me.

Yours sincerely

Waste Contractors and Recyclers Association of Queensland (Inc)

A handwritten signature in black ink, appearing to read 'Rick Ralph', with a horizontal line underneath.

Rick Ralph
Executive Director